

State of New Hampshire Banking Department)
In re the Matter of:) Case No.: 10-399
)
State of New Hampshire Banking)
Department,)
) Consent Order
Petitioner,)
)
and)
)
Brian Paul Brisebois,)
)
Respondent)

CONSENT ORDER

The State of New Hampshire Banking Department (the "Department") finds and Orders as follows:

Respondents

1. Brian Paul Brisebois ("Brisebois") is a New Hampshire Mortgage Loan Originator who did not become licensed in New Hampshire until November 9, 2009, when sponsored by Mortgage Master, Inc. Brisebois was, during the relevant time period, an unlicensed New Hampshire Mortgage Loan Originator for Mortgage Master, Inc., which is a department licensee.

Jurisdiction

2. The Department is authorized to regulate mortgage loan originators pursuant to RSA Chapter 397-A. RSA 397-A:2.
3. The Commissioner has jurisdiction to issue orders to

show cause and to cease and desist from violations under RSA Chapter 397-A and to revoke, deny, or suspend a license of a licensee and/or assess penalties pursuant to RSA Chapter 397-A. RSA 397-A:17, RSA 397-A:18 and RSA 397-A:21.

Facts

4. From September 2, 2009 through November 8, 2009, Brisebois worked with Kevin Gillis ("Gillis") at Mortgage Master. Gillis is a New Hampshire Mortgage Loan Originator who did not become licensed in New Hampshire until January 12, 2010.
5. The Department alleges Brisebois originated seventeen (17) New Hampshire residential mortgage loans without being licensed as a New Hampshire Mortgage Loan Originator. The Department alleged Brisebois originated these loan applications under Gillis' name after Brisebois transitioned from another company to Mortgage Master, Inc.
6. The Department alleges that though Brisebois originated these loans, Gillis' name was the name disclosed on the disclosure documents as the one who originated the residential mortgage loans. As a result, there is also a separate consent order regarding Gillis.

7. During the request for information, Brisebois has fully cooperated with the Department.

Violation(s) of Law and Penalties

8. Brisebois is a "Person" as defined by RSA 397-A:1, XVIII.
9. A Person may be assessed an administrative fine not to exceed \$2,500.00 for each violation of RSA Chapter 397-A. *RSA 397-A:21, IV and V.*

Respondent's Consent

10. Brisebois hereby acknowledges that were an administrative hearing to be held in this matter, the Department would introduce evidence which the department contends demonstrates that Brisebois conducted activity that would violate RSA Chapter 397-A as mentioned above.
11. Brisebois voluntarily entered into this Consent Order without reliance upon any discussions between the Department and Brisebois, without promise of a benefit of any kind (other than concessions contained in this Consent Order), and without threats, force, intimidation, or coercion of any kind. Brisebois further acknowledges his understanding of the nature of the allegations set forth in this action, including the potential penalties provided by law.

12. Brisebois hereby acknowledges, understands, and agrees that he has the right to notice, hearing, and/or a civil action and hereby waives said rights.

Order

13. **Whereas pursuant to RSA 397-A:20,VI,** this Consent Order is necessary, appropriate and in the public interest and consistent with the intent and purposes of New Hampshire banking laws, the Department Orders as follows:

a. Brisebois shall pay to the Department \$10,000.00 in administrative penalties, payable contemporaneously with Brisebois' signing of this Consent Order. The check shall be bank check or guaranteed funds and made payable to the "State of New Hampshire."

14. The Consent Order finally and completely concludes this matter against Brisebois. This Consent Order may still be revoked and the Department may pursue any and all remedies available under law, if the Department later finds that Brisebois knowingly or willfully withheld information used and relied upon in this Consent Order.

15. This Consent Order is binding on all heirs, assigns, and/or successors in interest.

16. This Consent Order shall become effective upon the date the Commissioner signs this Consent Order, providing the Department has confirmed the payment referenced in Paragraph 13.a. herein.

17. Once this Consent Order is effective, the Department agrees not to seek further reimbursement, refunds, penalties, fines, costs, or fees regarding the facts, allegations, or findings of violations contained herein.

WHEREFORE, based on the foregoing, we have set our hands to this Consent Order, effective upon its execution by Ronald A. Wilbur, Bank Commissioner.

Recommended this 31st day of October, 2012 by

_____/s/

Maryam Torben Desfosses,
Hearings Examiner, Banking Department

Executed this 2nd day of November, 2012 by

_____/s/

Brian Paul Brisebois

SO ORDERED.

_____/s/
Ronald A. Wilbur,
Bank Commissioner

Dated: 11/20/12